

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

MARVIN THOMPSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 1:07-CV-299-MHT
	)	
RICHARD ALLEN, et al.,	)	
	)	
Respondents.	)	

**ORDER**

Marvin Thompson, federal inmate awaiting trial on state criminal charges before the Circuit Court of Chambers County, Alabama, this actions as a petition for writ of mandamus seeking this court to compel the aforementioned state court to issue rulings on various *pro se* motions he has filed. However, Thompson did not file the \$350.00 filing fee nor did he submit an original affidavit in support of a motion for leave to proceed *in forma pauperis* with the requisite documentation from the inmate account clerk at the Oakdale Federal Correctional Institution. Thus, the pleadings filed by Thompson fail to provide the court with the information necessary for a determination of whether this inmate should be allowed to proceed without either pre-payment of the filing fee or payment of an initial partial filing fee. Accordingly, it is

ORDERED that on or before April 27, 2007 Thompson shall file either the appropriate affidavit in support of his motion for leave to proceed *in forma pauperis*

accompanied by a prison account statement from the account clerk at the Oakdale Federal Correctional Institution showing the average monthly balance in Thompson's prison account for the 6-month period immediately preceding the filing of this complaint and the average monthly deposits to his account during the past six months *or* the \$350.00 filing fee.

To aid Thompson in complying with this order, the CLERK is DIRECTED to furnish him with a copy of the form affidavit used by persons seeking to proceed *in forma pauperis* before this court. Thompson is cautioned that if he fails to comply with this order the Magistrate Judge will recommend that this case be dismissed.

Done this 12<sup>th</sup> day of April, 2007.

/s/ Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES MAGISTRATE JUDGE